

NAVAL POSTGRADUATE SCHOOL

Monterey, California



THESIS

POST-REUNIFICATION GERMAN MILITARY
INVOLVEMENT IN INTERNATIONAL CRISES; FOREIGN
AND SECURITY POLICY COMMENSURATE WITH
NATIONAL SOVEREIGNTY

by

Howard Carl Eyth

December 2001

Thesis Advisor:
Associate Advisor:

Donald Abenheim
James Suchan

Approved for public release; distribution is unlimited.

Report Documentation Page		
Report Date 19 Dec 2001	Report Type N/A	Dates Covered (from... to) -
Title and Subtitle Post-Reunification German Military Involvement in International Crises; Foreign and Security Policy Commensurate with National Sovereignty	Contract Number	
	Grant Number	
	Program Element Number	
Author(s) Eyth, Howard C.	Project Number	
	Task Number	
	Work Unit Number	
Performing Organization Name(s) and Address(es) Naval Postgraduate School Monterey, California	Performing Organization Report Number	
Sponsoring/Monitoring Agency Name(s) and Address(es)	Sponsor/Monitor's Acronym(s)	
	Sponsor/Monitor's Report Number(s)	
Distribution/Availability Statement Approved for public release, distribution unlimited		
Supplementary Notes		
Abstract		
Subject Terms		
Report Classification unclassified	Classification of this page unclassified	
Classification of Abstract unclassified	Limitation of Abstract UU	
Number of Pages 61		

THIS PAGE INTENTIONALLY LEFT BLANK

REPORT DOCUMENTATION PAGE			Form Approved OMB No. 0704-0188	
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington DC 20503.				
1. AGENCY USE ONLY (Leave blank)		2. REPORT DATE December 2001		3. REPORT TYPE AND DATES COVERED Master's Thesis
4. TITLE AND SUBTITLE Post-Reunification German Military Involvement in International Crises; Foreign and Security Policy Commensurate with National Sovereignty			5. FUNDING NUMBERS	
6. AUTHOR (S) Eyth, Howard Carl				
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000			8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING / MONITORING AGENCY NAME(S) AND ADDRESS(ES)			10. SPONSORING/MONITORING AGENCY REPORT NUMBER	
11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the U.S. Department of Defense or the U.S. Government.				
12a. DISTRIBUTION / AVAILABILITY STATEMENT Approve for public release; distribution is unlimited.			12b. DISTRIBUTION CODE	
13. ABSTRACT (maximum 200 words) This thesis examines past and present instances of German military intervention in international crises since national reunification on 3 October 1990 as a basis for evaluating the evolutionary progress Germany has made in addressing issues of international security during the same period. It assesses Germany's accomplishments in context of the challenges posed to German political, social, and military elites in justifying to their constituencies and communities, German leadership commensurate with situational necessity borne out of the new reality Germany faces in light of having regained its national sovereignty, and with German economic, political and military potential. Furthermore, it assesses them in context of the relative "unknowns" associated with the question of how the German parliament and public would respond to the call to assume greater national responsibility for regional and international peace and security. Finally, progress is gauged by reactions from different international audiences. This thesis investigates the course/progress of intense domestic debate associated with Germany's arrival at major decision points/milestones, and uses both objective and subjective evaluation to gain further insight into contemporary German foreign and security interests and policies, future direction, and preparedness to "stay the course."				
14. SUBJECT TERMS Germany, National Sovereignty, Bundeswehr, International Crises			15. NUMBER OF PAGES	
			16. PRICE CODE	
17. SECURITY CLASSIFICATION OF REPORT Unclassified	18. SECURITY CLASSIFICATION OF THIS PAGE Unclassified	19. SECURITY CLASSIFICATION OF ABSTRACT Unclassified	20. LIMITATION OF ABSTRACT UL	

NSN 7540-01-280-5500

Standard Form 298 (Rev. 2-89)
Prescribed by ANSI Std. Z39-18

THIS PAGE INTENTIONALLY LEFT BLANK

Approved for public release; distribution is unlimited

**POST-REUNIFICATION GERMAN MILITARY INVOLVEMENT IN
INTERNATIONAL CRISES; FOREIGN AND SECURITY POLICY
COMMENSURATE WITH NATIONAL SOVEREIGNTY**

Howard C. Eyth
Captain, United States Marine Corps
B.A, Ohio Wesleyan University, 1995


Submitted in partial fulfillment of the
requirements for the degree of

MASTER OF SCIENCE IN MANAGEMENT

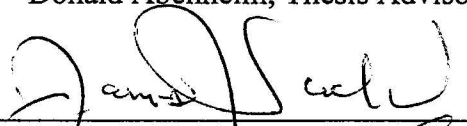
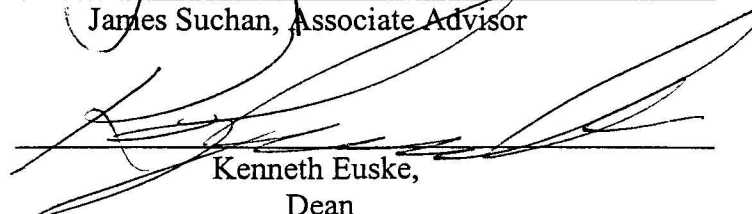
from the

**NAVAL POSTGRADUATE SCHOOL
December, 2001**

Author:


Howard C. Eyth

Approved by:


Donald Abenheim, Thesis Advisor
James Suchan, Associate Advisor
Kenneth Euske,
Dean
Graduate School of Business and Public Policy

THIS PAGE INTENTIONALLY LEFT BLANK

ABSTRACT

This thesis examines past and present instances of German military intervention in international crises since national reunification on 3 October 1990 as a basis for evaluating the evolutionary progress Germany has made in addressing issues of international security during the same period. It assesses Germany's accomplishments in context of the challenges posed to German political, social, and military elites in justifying to their constituencies and communities, German leadership commensurate with situational necessity borne out of the new reality Germans face in light of having regained their national sovereignty, as well as with German economic, political and military potential. Furthermore, it assesses them in context of the relative "unknowns" associated with the question of how the German parliament and public would respond to the call to assume greater national responsibility for regional and international peace and security. Finally, progress is gauged by reactions from different international audiences. This thesis investigates the course/progress of intense domestic debate associated with Germany's arrival at major decision points/milestones, and uses both objective and subjective evaluation to gain further insight into contemporary German foreign and security interests and policies, future direction, and preparedness to "stay the course."

THIS PAGE INTENTIONALLY LEFT BLANK

TABLE OF CONTENTS

I.	INTRODUCTION.....	1
A.	BACKGROUND.....	1
B.	METHODOLOGY.....	5
C.	THESIS ORGANIZATION.....	5
II.	INSTANCES OF GERMAN MILITARY INTERVENTION IN INTERNATIONAL CRISES SINCE 3 OCTOBER 1990.....	7
A.	CHRONOLOGY.....	7
B.	OBSERVATIONS AND INTERPRETATION.....	12
III.	THE QUESTION OF CONSTITUTIONALITY.....	15
A.	THE TWO PLUS FOUR AGREEMENT.....	15
B.	THE DILEMMA.....	17
C.	RESOLUTION AND LEGACY.....	21
IV.	PERCEPTIONS OF GERMAN MILITARY INVOLVEMENT IN KOSOVO.....	25
A.	THE GERMAN PERSPECTIVE.....	25
B.	THE FRENCH PERSPECTIVE.....	26
C.	THE BRITISH PERSPECTIVE.....	28
D.	THE AMERICAN PERSPECTIVE.....	30
E.	THE AUTHOR'S PERSPECTIVE.....	31
V.	GERMANY IN THE WAR ON TERROR.....	33
A.	THE GERMAN-AMERICAN RELATIONSHIP.....	34
B.	THE STICKING POINT.....	36
C.	EXTRAORDINARY MEASURES.....	36
D.	THE DYNAMIC BEHIND THE DEBATE.....	38
E.	CONCLUSION.....	42
VI.	EVALUATION AND PERSPECTIVE.....	43
	INITIAL DISTRIBUTION LIST.....	49

THIS PAGE INTENTIONALLY LEFT BLANK

EXECUTIVE SUMMARY

This thesis examines past and present instances of German military intervention in international crises since national reunification on 3 October 1990 as a basis for evaluating the evolutionary progress Germany has made in addressing issues of international security during the same period. Some critics choose to describe the level of German effort as measured by its allegedly meek role thus far in sorting matters of international peace and security, as neither commensurate with Germany's potential, nor satisfactory in terms of one's reasonable expectations of a sovereign German state.

This thesis asserts that quite on the contrary, Germany has made substantial progress, though often accompanied by intense domestic dissention, and the occasional odd policy or position. Beginning with the perhaps belated, though unequivocal decision handed down by the German Supreme Court in 1994, authorizing German military intervention in international crises beyond the established confines of the North Atlantic Treaty, Germany has constructed the imperative constitutional framework for full engagement in systems of collective security. Furthermore, as evidenced by various international perspectives on Germany's broad involvement in Kosovo, concerning both the war effort and the post-war political effort to bring lasting peace and stability to the region, Germany has indeed addressed its ever-increasing international obligations for peace and security, in proactive and productive ways. Finally, with Germany's recent pledge of "unlimited solidarity" with the United States and her allies in the war on terror, backed by

specific, consequential and measurable action in the form of troop commitment, law enforcement, and new legislation, Germany presently continues to strive for, and predictably within the next decade will take its desired and appropriate place at the multinational table where the affairs of international peace and security are decidedly managed and the world's leading nations are heard.

I. INTRODUCTION

This thesis examines past and present instances of German military intervention in international crises since national reunification on 3 October 1990 as a basis for evaluating the evolutionary progress Germany has made in addressing issues of international security during the same period. It assesses Germany's accomplishments in context of the challenges posed to German political, social, and military elites in justifying to their constituencies and communities, German leadership commensurate with situational necessity borne out of the new reality Germans face in light of having regained their national sovereignty, as well as with German economic, political and military potential. Furthermore, it assesses them in context of the relative "unknowns" associated with the question of how the German parliament and public would respond to the call to assume greater national responsibility for regional and international peace and security. Finally, progress is gauged by reactions from different international audiences. This thesis investigates the course/progress of intense domestic debate associated with Germany's arrival at major decision points/milestones, and uses both objective and subjective evaluation to gain further insight into contemporary German foreign and security interests and policies, future direction, and preparedness to "stay the course."

A. BACKGROUND

Following the official reunification of Germany on 3 October 1990, several theories regarding future German foreign policy emerged among international audiences.

These theories ranged from fears of a resurgence of German nationalism coupled with the prospect of full remilitarization and the possibility of a sovereign German state contesting its borders artificially imposed in the aftermath of World War II to reassurances that Germany would purposely avoid developing a distinctive foreign policy in favor of remaining inextricably linked to European and North American powers by virtue of political and economic alliances. In reality, according to Thomas Durell-Young, Germany has carved out a rather "uneven, and at times confusing record of foreign and defense policy formulation and policies since reunification."¹ While having periodically exhibited strong national integrity and singularity of purpose, perhaps most vividly demonstrated by Germany's rather daring recognition of the independent republics of Slovenia and Croatia in 1991 despite primarily French objections, Germany continues to reinforce its commitment to NATO, the EC, and international coalitions formed in response to a variety of crises by its routine adherence to a "traditional, and at times cumbersome, consensus policy-making process in security and foreign affairs."²

This thesis contends that Durell-Young's impression of German foreign and defense policies since reunification should be qualified, since it appears incongruent with another evaluation of German foreign and defense policies,

¹ Thomas Durell-Young, "Force, Statecraft, and German Unity: The Struggle to Adapt Institutions and Practices." Available [Online]:<<http://carlisle-www.army.mil/usassi/ssipubs/pubs96/germunty/germunty.htm>. [23 September 2001].

² Ibid.

that considers their collective impact over the same period of time. While the nature of German politics and the complex, bureaucratic process of German policy formulation (not merely limited to foreign and defense policy, but rather inherent to German political culture in the broadest sense) in particular often appears to convolute or stifle intent, the result of Germany's efforts over the past decade to master its exceptional and formidable social and political challenges deserves recognition. Hence, Germany has and continues to demonstrate through both policy and action that it is headed "in the right direction."³ Having already met several, critical milestones, Germany presently continues to strive for, and predictably within the next decade will take its desired, appropriate place at the multinational table where the affairs of international peace and security are decidedly managed and the world's leading nations are heard.

Another perhaps more objective, approach to assessing German interests in national, regional, and geopolitical security policy is to evaluate the overall trend in the use of German military force, which in every case has adhered to principles of careful, deliberate and measured involvement of German military forces in various capacities, and has served to actively support the pledges made and articulated through German foreign policy. Beginning with the largely symbolic yet peripheral deployment of German Navy minesweepers and Allied Mobile Force units in indirect support of the international

³ This phrase chosen by the author, who's wider political views are unequivocally American in principle. Having been raised and educated in Germany from 1972 to 1991, the author has developed a commensurate understanding of German society.

coalition which fought the Gulf War (the preponderance of German support was pledged in the form of monetary contributions and hardware valued at a total of 17 Billion DM), and continuing with the recent pledge of 3,900 German troops, including special forces on the ground for combat operations in Afghanistan in direct support of the coalition against terrorism, both the scale and nature of German military involvement in international crises has evolved, reflecting not merely the acknowledgement, but the desire of Germans to exercise national sovereignty in constructive, responsible, and more potent ways.

Perhaps one of the healthiest indications of this phenomenon is Germany's ongoing effort to secure a seat on the United Nations Security Council. Less than two years after reunification, Klaus Kinkel, then Secretary of State in the administration of Chancellor Helmut Kohl, comprehended in 1992 (as did Konrad Adenauer in his day), "that the right to weigh-in politically on affairs concerning international security must be paid for in military denominations." He continued by stating that, "Our national interests demand a more active German engagement of the United Nations and within its Security Council." Conclusion: "We [Germans] must get off the spectator benches."⁴ Nonetheless, the transition in German thinking and the evolution of national understanding hasn't been automatic. Their evolution has endured its share of scrutiny, given the international expectations as well as domestic sentiments on the constitutionality of deploying German forces outside the geographical boundaries of NATO,

⁴ Gunther Latsch und Klaus Wiegrefe, "Einsatz im Machtspiel," *Spiegel*, 12 November 2001. 37-38.

for instance, and the prevailing social climate among the German population.

B. METHODOLOGY

This thesis is based on an analytical survey of primary and secondary sources concerning the involvement of German military forces in international crises since 3 October 1990, the deliberations and decisions in conjunction with the essential question of constitutionality with respect to the use of German military force, international perspectives on German intervention in Kosovo, and the ongoing developments within Germany regarding the war on terror. This thesis comprehensively examines the evolution of German military involvement in international crises since 3 October 1990, within the context of Germany's return to national sovereignty and estimates the nature of the future German security posture as it pertains to the use of German military force.

C. THESIS ORGANIZATION

Chapter II provides an overview of the instances of German military involvement in international crises since 3 October 1990 including locations, stated missions, durations of deployments, capacities, and capabilities of assets committed. Chapter III examines the essential question of constitutionality regarding the deployment of German military forces outside the geographical boundaries of NATO. Additionally, it examines the course of parliamentary and public deliberation, leading to decisions in favor of German military participation in international coalitions. Chapter IV discusses German intervention in Kosovo from various international perspectives including

the U.S, English, French, and German. Chapter V discusses the ongoing debate and developments within Germany pertaining to its involvement in the current (2001), informally declared war on terror. Chapter VI offers a comprehensive and qualitative evaluation of German military involvement in international crises from 3 October 1990 to date, and broadly predicts the nature of German use of military force in the future as it relates to Germany's most likely security posture.

II. INSTANCES OF GERMAN MILITARY INTERVENTION IN INTERNATIONAL CRISES SINCE 3 OCTOBER 1990

According to the German newsmagazine *Der Spiegel*, the number of German soldiers currently engaged in operations in and around regions of crisis is 7,000. At the outset of the 1990s the number was only a few hundred.⁵

A. CHRONOLOGY

The following is an overview of the instances of German military intervention since German national reunification on 3 October 1990.⁶

- August 1990 - March 1991: Germany deploys five naval minesweepers and two supply vessels with approximately 500 sailors to the Mediterranean Sea. Additionally, Germany sends 18 Alpha Jet aircraft with over 500 air and ground crew to Erhac, Turkey in support of a NATO Intervention Force.⁷ German personnel aboard multi-nationally manned NATO AWACS aircraft patrol the airspace over East Turkey.
- April - July 1991: At the conclusion of the Gulf War, and upon the endorsement of the United

⁵ „Hintergrund: Deutsch Soldaten im Ausland“, Spiegel Online 2001. Available
[Online]:<[http://www.spiegel.de/politik/deutschland/0,1518,166374,00.htm](http://www.spiegel.de/politik/deutschland/0,1518,166374,00.html)
l.

⁶ Sources used to compile information: „Einsaetze der Bundeswehr im Ausland, Reihe ,Stichwort fuer die Oeffentlichkeitsarbeit und Truppeninformation“, Bundesministerium der Verteidigung - Presse-und Informationsstab - Referat Oeffentlichkeitsarbeit, Bonn, 2000. Available [Online]:<<http://www.bundeswehr.de>.

⁷ Properly referred to as an Allied Mobile Force, originally established in 1961 as a NATO-911 Force, consisting of Air and Ground components that are rapidly deployable to crisis regions throughout the geographical reaches of the alliance.

- Nations Security Counsel, the German naval formation "Südflanke" consisting of six ships and 480 sailors is dispatched to the Persian Gulf to search for naval mines.
- ❑ August 1991 - September 1996: At any one time, 30 soldiers employing two CH-53 helicopters and operating out of Baghdad, Iraq, and an additional seven airmen aboard one C-130 transport aircraft based in Bahrain support the United Nations Special Commission (UNSCOM) charged with supervising the dismantelment of Iraq's weapons of mass destruction.
 - ❑ May 1992 - November 1993: Germany sends 150 medical personnel to Cambodia to establish a field hospital with 60 beds to support the United Nations Transitional Authority in Cambodia (UNTAC).
 - ❑ July 1994 - December 1994: Germany deploys one B-707 and two C-160 transport aircraft along with 30 airmen in support of United Nations Assistance Mission for Rwanda (UNAMIR), to conduct airlift operations from Nairobi and Johannesburg to Goma and Kigali to provide relief for Rwandan refugees.
 - ❑ July 1992 - October 1996: German participation in Operation Sharp Guard, mandated by NATO and the WEU, consists of sending two ships (destroyers or frigates) with 550 sailors on average, on four month rotation cycles to the Adriatic to enforce the UN imposed trade and weapons embargo against Yugoslavia. Furthermore,

three naval electronic reconnaissance aircraft of the type Breguet Atlantique with a crew of about 60 are based in Elmas, Sardinia to conduct operations in support of the same. German participation in Operation Deny Flight from April 1993 to December 1995 consists of 484 personnel dedicated to the operation's aerial surveillance component. From July 1992 to January 1996, Germany contributes one C-160 transport aircraft, and a crew of 27 to the Falcorona, Italy - Sarajevo airlift. From March 1993 to August 1995, Germany contributes one C-160 transport aircraft and authorizes the use of Frankfurt/Main airport for joint U.S.-French-German airdrop missions over Bosnia-Herzegovina that primarily deliver food and medical supplies.

- August 1992 - March 1993 (Army), August 1993 - March 1994 (airlift): Germany deploys around 1700 troops to Belet Uen, Somalia, around 120 airmen to Djibouti and Mombasa, Kenya, and around 600 sailors along with the requisite transport and armored vehicles, helicopters, and transport aircraft to provide logistical support to UN troops and conduct Mombasa - Somalia airlift operations in support of United Nations Operation in Somalia II (UNSCOM II).
- August - December 1995: Germany supports a Franco-German Rapid Reaction Force comprised of two brigades, aimed at guaranteeing freedom of mobility to the United Nations Protection Force (UNPROFOR) in Bosnia-Herzegovina. The

participating German Army contingent in Trogir, Croatia comprised of around 530 Soldiers establishes a field hospital with 60 beds and a pharmacy, and possesses the capability to dispatch paramedics in armored as well as unarmored vehicles. The participating German Air contingent stationed in Piacenza, Italy consists of 14 Tornado fighter aircraft, while up to 12 C-160 transport aircraft are placed on stand-by at locations in Germany. Additionally, two naval long-range reconnaissance aircraft of the type Breguet Atlantique complement the air contingent, and the German Operation Sharp Guard contingent "rolls over." The mission of the Rapid Reaction Force ends when NATO assumes responsibility for operations in Bosnia-Herzegovina on 20 December 1995, and stands-up IFOR to conduct Operation Joint Endeavor to secure implementation of the Dayton Accords. The participating German Army contingent of approximately 2600 soldiers on average is stationed in neighboring Croatia and principally conducts logistical support missions in support of IFOR troops as well as specific operations aimed at repairing and maintaining civilian transportation infrastructure. The participating German Air contingent of almost 500 airmen is stationed in northern Italy (Vicenza and Piacenza) and is tasked with guarding the Inter Entity Boundary Lines (IEBL), demarking weapons storage facilities and known mass graves, protecting the similarly tasked forces on the

ground, and performing general air transportation missions. The participating German Naval contingent, comprised of 1-2 Frigates, guards transportation sea-lanes of and interdicts commercial trade vessels as part of Operation Sharp Guard and the IFOR Operation Decisive Enhancement until the UN trade and weapons embargo is lifted in June of 1996. After Operation Sharp Guard is completed, German seafaring IFOR participation is limited to one frigate in support upon request of NATO's Standing Naval Force Mediterranean (STANAVFORMED). Additionally, German Breguet Atlantique naval reconnaissance aircraft fly from their home base in Nordholz, Germany to the Adriatic to conduct, among other missions, signals intelligence support for German fighter aircraft patrolling the AOR. Total German naval personnel strength during highest operational tempo is almost 300.

- December 1996 - Present: NATO replaces IFOR with SFOR, to which Germany commits onto Bosnian soil one of the largest national contingents consisting of 1800 personnel. This juncture marks the first instance of German troop deployment directly into the geographical center of a crisis.
- March - June 1999: Germany contributes Tornado Fighter-Bombers and reconnaissance drones to the 79-day NATO air campaign over Kosovo and Serbia.

- June 1999 - Present: Germany commits around 5000 personnel to KFOR and is assigned security for the Southern zone established within the Province of Kosovo.
- October 1999 - February 2000: Germany bases in Darwin, Australia two C-160 transport aircraft specially configured to transport critically injured medical patients, to provide rapid evacuation of critically injured members of the International Force East Timor (INTERFET) and individuals in the native population, and to provide transportation assistance in the event that local hospitals in East Timor become overwhelmed.
- August 2001 - Present: Germany participates with approximately 500 personnel in NATO Operation Essential Harvest aimed at facilitating the turnover of arms belonging to the Albanian rebels in Macedonia. For the follow-on Operation Amber Fox aimed at protecting EU and OSCE observers, Germany is committing 600 soldiers.
- November 2001 - Present: Germany pledges 3900 military personnel to the U.S.-led War on Terrorism, including 100 Special Forces commandos (KSK).

B. OBSERVATIONS AND INTERPRETATION

At face value, both the size and scope of German military involvement in international crises has increased considerably over the past decade. Beginning with Germany's retrospective discomfort with the rather unflattering perception of its merely peripheral military

contribution to the coalition in the Gulf War⁸, over the years Germany has proceeded to remove its shackles, as evidenced by the unprecedented and internationally well-received demonstration of direct military support (including the assumption of air-combat missions) for the coalition that drove Serbian forces out of Kosovo. Presently, in light of its recent pledge of 3900 troops, including 100 Special Forces for a possible ground combat role in Afghanistan, Germany has arrived at yet another historic milestone in its quest for equal status among the world's leading nations responsible for matters of international peace and security.

Another look at the above chronology reveals that Germany has shown a particular aversion toward intervention without the mandate of the United Nations and that examples of German intervention without the simultaneous participation of at least a few of its NATO partners are absent altogether. This trend is perhaps as much an effect of German historical self-consciousness as several tenets of German foreign policy:

- 1) Peaceful cooperation with our neighbors in a spirit of partnership;
- 2) Continued development of the North Atlantic Alliance (NATO) and transatlantic cooperation where Europe must assume a greater share of the responsibility;
- 3) Deepening and broadening the EU which must become a partner fully capable of acting in all areas on the global stage;

⁸ This is one of the issues discussed in Michael Inacker's book „Unter Ausschluss der Öffentlichkeit? Die Deutschen in der Golfallianz“, further explained in Chapter 3 of this thesis.

- 4) Europe-wide cooperation in the OSCE;
- 5) Strengthening the international organizations, first and foremost the UN, and an active role for Germany in these organizations;
- 6) A special responsibility for democracy and stability in Central, Eastern and South-Eastern Europe and the promotion of sustainable development in the countries of the South.⁹

In particular, the second and fourth tenets reflect the forward-leaning posture that Germany is assuming in its foreign policy while remaining firmly grounded in its network of multi- and international organizations and institutions (see all tenets). Even though continuity based on the Federal Republic's successful strategy over the past fifty years has been the order of the day in German foreign and security affairs, we are presently observing a careful, yet deliberate and necessary move toward expanding Germany's ability to directly influence matters of international peace and security. The circumstances surrounding this evolution and the context within which German progress ought to be judged will be the focus of discussion in subsequent chapters.

⁹ German Foreign Policy. Available [Online]: <http://www.bundeswehr.de/news/english/1_2_german_foreign_policy.html>. [8 October 2001].

III. THE QUESTION OF CONSTITUTIONALITY

Whenever the prospect of German military intervention abroad is discussed, it is usually linked to the fundamental question of whether or not the German constitution will allow such a course of action. Consequently, each instance of German troop deployment abroad involves a deliberative process characterised by active scrutiny and often vigorous debate by the German parliament and in some cases the blessing of the German Supreme Court. While the matter of interpretation concerning the "rather ambiguous and somewhat confusing provisions"¹⁰ of the German Constitution was resolved via a verdict delivered by the Supreme Court on 12 July 1994, the preceding national debate heavily impacted German political culture and still affects German mentality vis-à-vis "Out of Area" deployments of the Bundeswehr.

The origins of the question of German military involvement in so-called "Out of Area" operations are found earlier than the 1990s.

A. THE TWO PLUS FOUR AGREEMENT

Prior to sorting through the intricacies of the German constitution, one ought to first recall a document that predates the Supreme Court's verdict, and affords it the legal precedent to entertain arguments on the matter of sovereign German "Out of Area" military intervention: the

¹⁰ John S. Duffield, *World Power Forsaken, Political Culture, International Institutions, and German Security Policy After Unification*. Stanford University Press: Stanford, California, 1998. p175.

Two Plus Four Agreement.¹¹ Integral to the agreement are the following provisions:

- ❑ The four occupation powers relinquish their occupation rights in Germany.
- ❑ Germany regains its full sovereignty for the first time since 1945.
- ❑ The current, combined borders of East and West Germany are the permanent and incontestable borders of a unified Germany, meaning Germany accepts the loss of territories East of the Oder-Neisse Rivers (East Prussia, Silesia, Pomerania) ceded to Poland and to the USSR after WW II.
- ❑ Germany foregoes any and all territorial claims on other states and shall not assert any in the future, specifically in Poland, France, Denmark, Czechoslovakia, and the USSR.
- ❑ Germany will remain in NATO under the condition that no nuclear weapons will be deployed in East Germany, and that the East German army may be integrated into the Bundeswehr only after the combined strength of the German Army is reduced to and capped at 370,000 soldiers.
- ❑ Germany renounces production, procurement and independent use of nuclear, biological and chemical weapons.
- ❑ Germany attests that war will never again be initiated from its soil.¹²

¹¹ Signatories to the Two Plus Four Agreement were East and West Germany, and the occupying powers of the United States, Great Britain, France, and the Soviet Union. Even though the last occupational forces did not withdraw from German soil until 1994, the Two Plus Four Agreement legally restored German national sovereignty in 1991.

Authored by then German Secretary of State Hans Dietrich Genscher, the agreement took effect with the deposition of the last ratification document by the Soviet Ambassador to Germany on 15 March 1991, upon which Genscher proclaims that "Germany has thereby, on this day, received full sovereignty over its domestic and foreign affairs."¹³

B. THE DILEMMA

Produced in the aftermath of World War II, the German "Grundgesetz" (Basic Law or Constitution) was borne, and ratified by the United States Congress in 1949. One of its principal aims was to legally preclude the German nation from ever planning for an "Angriffskrieg" offensive war again. Accordingly, Article 26.1 of the German Constitution states that, "Acts tending to and undertaken with intent to disturb the peaceful relations between nations, especially to prepare war or aggression, are unconstitutional. They have to be made a criminal offence."¹⁴ However, Article 87a was added to the constitution in 1956, at a time when NATO deemed it in the best interest of the alliance for Germany to rearm, creating the constitutional basis for the Bundeswehr (German Armed Forces). Paragraph 1 states that "the

¹² German Unification Case Study, Treaty on the Final Settlement With Respect to Germany. Available [Online]:<<http://www.foothill.fhda.edu/unification/finalset.html>>. [8 December 2001].

¹³ Erkläerung des Bundesministers des Auswaertigen, Genscher, anlaeslich der 1. Lesung des Vertrages ueber gute Nachbarschaft, Partnerschaft und Zusammenarbeit mit der UdSSR im Deutschen Bundestag am 15. Maerz 1991 (Auszuege), Aussenpolitik der Bundesrepublik Deutschland, Dokumente von 1949 bis 1994, Koeln, 1995. s. 793.

¹⁴ Constitution of the Federal Republic of Germany. Available [Online]:<http://www.uni-wuerzburg.de/law/gm00000_.html>. [8 December 2001].

Federation shall establish Armed Forces for defense purposes", while paragraph 2 adds that "other than for defence purposes, the Armed Forces may only be employed to the extent explicitly permitted by this Basic Law."¹⁵ When considered in conjunction with Chapter Xa, on the so-called "State of Defense", added in 1968, Article 87a could be interpreted along more restrictive lines as allowing the Bundeswehr to be used solely for the defense of German territory. On the other hand, Article 24.2 states that "For the purpose of maintaining peace, the Federation may join a system of mutual collective security; in doing so it will consent to such limitations upon its rights of sovereignty as will bring about and secure a peaceful and lasting order in Europe and among the nations of the world."¹⁶ Implicitly, a more liberal interpretation could contend that Germany may thus legitimately belong to the North Atlantic Treaty Organization (NATO)¹⁷, which from its inception in 1948 until this day remains and for the foreseeable future will remain the bedrock of German defense and security strategy, as well as the United Nations Organization (UNO)¹⁸, to which Germany has been a

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Article 5 of the North Atlantic Treaty asserts that "an armed attack against one shall be considered an attack against all."

¹⁸ Article 51 of the Charter of the United Nations reserves "the inherent right of individual or collective self-defence if an armed attack occurs against a member of the United Nations."

party since the early 1970s, and in which Germany has found the institution best suited to represent the moral guide for German foreign policy formulation.

"Over the years, a strong cross-party consensus had formed around an intermediate, although still rather narrow, interpretation [of the constitution]."¹⁹ This consensus reflected prominently throughout the 1980s, and would have allowed for the use of the Bundeswehr in defense of Germany and its NATO allies, but no further. This view was largely a reaction to the 1979-80 shift in NATO strategic planning which foresaw a dual role for alliance forces stationed in the European theatre. In addition to deterring a Soviet attack in central Europe, European forces would be called upon to counter threats to the alliance emanating from outside its originally contemplated geographical sphere of influence.²⁰ This shift proved rather unsettling to the German leadership, which in Duffield's words "feared that military involvement in out-of-area conflicts could lead to a direct clash with East German forces or provoke Soviet retaliation in Central Europe. Thus abstention from such missions was necessary to preserve detente in Europe and even to maintain the

¹⁹John S. Duffield, *World Power Forsaken, Political Culture, International Institutions, and German Security Policy After Unification*. Stanford University Press: Stanford, California, 1998. p175.

²⁰ Several developments in the world with potentially far reaching implications to the Cold War status quo between East and West served to initiate the change in NATO strategic thinking. The Ayatollah Khomeini's rise to power in Iran in 1979, the Soviet invasion of Afghanistan also in 1979, and the outbreak of war between Iran and Iraq in 1980 all represented the possibility of a clash between forces of NATO and the Warsaw Pact.

domestic consensus behind German security policy."²¹ In this context it comes as no surprise that in 1982 the narrow, consensus based interpretation of the German Constitution "was formalized in back-to back decisions by the cabinet-level Federal Security Council involving first the SPD-FDP coalition government (Sept.1) just before its dissolution and the new CDU/CSU-FDP government (Nov. 3) shortly after it took office."²²

Nonetheless, the defining international crises of the early to mid 1990s (Gulf War, Bosnia, Somalia) forced the Germans to re-evaluate their policy in light of the increased impetus to act in ways commensurate with the responsibilities of a sovereign German state. The out-of-area debate became reenergized when then Chancellor Helmut Kohl and his party took the position, that "the Bundeswehr should be able to participate in the full range of military measures that might be authorized by the UN, including peace-enforcement efforts under Chapter VII of the UN Charter, regardless of whether they were conducted under the UN flag or organized along the looser pattern of the Gulf War coalition."²³ Furthermore, the Christian Democratic Union (CDU) argued that the constitution already permitted such out-of-area military missions as they

²¹ John S. Duffield, *World Power Forsaken, Political Culture, International Institutions, and German Security Policy After Unification*. Stanford University Press: Stanford, California, 1998. p176.

²² Ibid.

²³ Ibid.

envisioned, and thus technically didn't require an amendment. Immediately, this position drew intense flak from the opposition led by the Social Democratic Party (SPD), which not only contended that the Bundeswehr should be banned from participating in any kind of out-of-area mission with the exception of peacekeeping given a direct UN mandate, but also that an amendment to the constitution would indeed be the prerequisite for Bundeswehr participation in even so limited activities as UN peacekeeping operations.²⁴

C. RESOLUTION AND LEGACY

The debate continued through several stages, and when reconciliation between the two positions was finally deemed beyond the means of parliamentary procedure, the task of collectively and definitively interpreting the aforementioned articles of the constitution fell to the German Supreme Court. The Court handed down its decision on 12 July 1994, determining that "Without restriction, German soldiers may participate in UN missions of peace outside the geographical boundaries of the NATO alliance. Combat missions are thereby permitted by the Constitution as well, provided that the Bundestag by way of simple majority approves each and every case. Hence, claims of unconstitutionality regarding the deployment of German military forces in the area of former Yugoslavia and in

²⁴ The disagreement over whether or not a constitutional amendment was required, even in the event that both government and opposition leaders could agree on the exact nature of the missions that Germany would participate in, carried immense importance at the time, for it was unclear if the FDP (the CDU's coalition partner in government) would support an amendment.

Somalia are thereby dismissed."²⁵ By virtue of its decision, the German Supreme Court effectively paved the way for future German military operations abroad.

The implications of the court's ruling found expression in a series of criteria, set by the government, that future out-of-area deployments of the Bundeswehr would have to meet. While these criteria were designed to prevent impulsive decisions to commit German troops²⁶ (one of the more bitter lessons learned in light of the outcome of the UN mission in Somalia) they clearly complement the court's ruling, grant further insight into the direction Germany is prepared to embark as regards out-of-area deployments, and offer substantial grounds for allies as well as potential adversaries to evaluate the potential for future German military intervention. The criteria are specified as follows:

- There must be a clear and legitimate international mandate, usually from the UN but also possibly from the CSCE in the case of peacekeeping operations;
- It must be possible to fulfil the assigned military tasks within a clearly limited timeframe;

²⁵ 40 Jahre Bundeswehr, 5 Jahre Armee der Einheit, Bundesministerium der Verteidigung, Bonn, 1995, s. 31.

²⁶ This attitude was further necessitated by the fact that the Bundeswehr had not developed the capacity to support substantial out-of-area operations, that German public opinion vis-a-vis out-of area deployments of the Bundeswehr was recorded with merely a slight majority in favor of peacekeeping operations, and only a quarter to a third in favor of combat operations, and thirdly that "the attitudes of most German political leaders continued to be strongly colored by the postwar 'culture of reticence.'" (Duffield, 210)

- The military component of the operation must be based upon a convincing political concept for a lasting solution to the conflict;
- Germany must be adequately involved in the international decision making process;
- Germany would participate in international peace missions only jointly with others and almost exclusively in conjunction with its NATO and Western European Union (WEU) allies, which would allow them to draw upon pre-existing common structures;
- Finally, the interests of Germany, Europe, or the international community must be involved. Moreover, the greater the likelihood of combat and thus the risk to German soldiers, the more compelling the reasons for German participation must be.²⁷

Though the tone is deliberately careful, the unequivocal result of having drastically increased Germany's "ausserpolitische Handlungsfähigkeit" (ability to act in foreign policy), along with the underlying intent is what constitutes the true legacy of this important milestone in German history since reunification is undeniably an enormous step "in the right direction."

²⁷ John S. Duffield, *World Power Forsaken, Political Culture, International Institutions, and German Security Policy After Unification*. Stanford University Press: Stanford, California, 1998. p. 211.

THIS PAGE INTENTIONALLY LEFT BLANK

IV. PERCEPTIONS OF GERMAN MILITARY INVOLVEMENT IN KOSOVO

Perhaps the clearest example of German foreign policy objectives can be seen by assessing the role that Germany played in the resolution of the Kosovo crisis and of the associated "Einsatz der Bundeswehr" (deployment of the German military) in particular.

A. THE GERMAN PERSPECTIVE

As might be expected, the German perspective focuses on the importance of its political and diplomatic contributions, rather than measuring its military involvement. Wolfgang Brauner articulates the German perspective by asserting that "Germany acted according to its identity as a 'civilian'²⁸, and European power. This civilian identity shaped Germany's perception of the conflict and its preferences for its resolution. Germany acted according to the so-called "logic of appropriateness" within a highly institutionalized multilateral context (NATO, UNSC, EU, OSCE, G-7/8, Contact Group).²⁹ Brauner follows up by drawing attention to the so-called "Fischer-

²⁸ Germany's self-image as a "Zivilmacht" is primarily a result of historical lessons learned after the total defeat of the Third Reich, yet in light of German reunification also served to calm primarily French and Polish concerns that Germany may adopt an aggressive, unilateral defense posture typically associated with the ambitions of a classic superpower. It infers that modern Germany's main recourse for effecting foreign policy is consistent with diplomatic efforts backed by political, social and economic leverage. Nonetheless, it does not imply that Germany is precluded from resorting to military force within the context of systems of collective security. In practical terms, it simply means that German foreign policy seeks to "exploit every conceivable option for a negotiated settlement before resorting to the use of force." (Brauner)

²⁹ Wolfgang Brauner, German Foreign Policy in Dialogue, Germany's Participation in the Military Intervention in Kosovo as Viewed from Different National Perspectives, The German Perspective. Available [Online]<<http://www.deutsche-aussenpolitik.de/publications/newsletter/issue01.html>.

Plan", proposed by the German Foreign Minister on April 14, 1999, and adopted by NATO later that month, at its Washington Summit (April 23-24, 1999). The plan effectively combines what is referred to as a "double-strategy", involving diplomatic and military aspects aimed at accelerating negotiations to a political settlement of the conflict.

Secondly, Brauner points out "Most importantly, Germany succeeded in contributing substantially to the definition and maintenance of a common policy of the EU, including unanimous support of NATO's Operation Allied Force and extensive sanctions. The EU considered NATO's intervention to be 'necessary and justified'. The extent of this unity contrasts starkly with the divisions between the member states that largely paralyzed the EU during the first three wars in former Yugoslavia."³⁰

Finally, the German perspective emphasizes the role Germany played during its presidency in the EU. During Germany's presidency the EU generated the Stability Pact for Southeast Europe, in which the EU "explicitly recognizes this region to be an integral part of Europe and takes responsibility for its stabilization, reconstruction and transformation"³¹, by offering prospective membership in the EU as an incentive to countries in the region, that promote peace and stability.

³⁰ Ibid.

³¹ Ibid.

B. THE FRENCH PERSPECTIVE

The French reaction to German involvement in Kosovo was positive. According to Hans Stark, despite the perception of a strained Franco-German relationship due to the French government's unheeded objection to German official recognition of Slovenian and Croatian independence in December of 1991 without sufficient consultation or the acquiescence of the EU, a strong consensus exists between the two countries regarding the principal causes for the crisis in former Yugoslavia. Both France and Germany agree on two central issues: the main responsibility for the origin of the crisis lay with the Serbs, not with the Kosovars, and that recognizing the independence of the Kosovo-Albanian minority would lead to further destabilization of the region.³² Thus, the French do not view the German military intervention as being suggestive of a larger German quest for power and influence, but rather as proof of "continuity" in German foreign policy, in turn removing any possible doubts about Germany's "Buendnistreue" (loyalty to alliance).

Furthermore, the French took great comfort in observing the diligence with which the German political leadership approached, and eventually arrived at their decision to intervene militarily in the crisis.³³ The German ability to accommodate Washington (by honoring their

³² Hans Stark, German Foreign Policy in Dialogue, Germany's Participation in the Military Intervention in Kosovo as Viewed from Different National Perspectives, The French Perspective. Available [Online]<<http://www.deutsche-aussenpolitik.de/publications/newsletter/issue01.html>.

³³ Ibid.

transatlantic alliance obligation), Paris (via Franco-German talks held in Toulouse, and at the EU-Summit in Cologne), and Moscow (through the G-8 initiative to bring the Russians into the coalition to mediate vis-à-vis Belgrade) met with great respect in France. On a tactical and operational level, French opinion also praised Germany's abstention from bombing civilian targets with its limited number of six combat aircraft participating in the air campaign of Operation Allied Force.

Above all, the French applaud Germany's initiative in forming the aforementioned Stability Pact, as well as Germany's assumption of responsibility for one of the five military sectors established in post-war Kosovo.³⁴ To the French, this demonstrated Germany's interest in continued financial and political engagement in the region. Conversely, a German engagement curtailed merely to the war effort would presumably have been interpreted by the French as insincere, and as depriving the region of any real opportunity for lasting peace and stability.

C. THE BRITISH PERSPECTIVE

While the British perspective does reserve slight criticism in terms of what could have happened, and what may yet happen, in the words of John Roper, "There was surprise and admiration in Britain that the relatively new Social Democrat/Green German administration was able to play so constructive a part in Operation Allied Force [despite loud, domestic opposition] in the first half of 1999."³⁵ Britain also believes that Germany deserves great

³⁴ Ibid.

³⁵ John Roper, German Foreign Policy in Dialogue, Germany's
28

credit on the diplomatic front for successfully integrating the Russians in the negotiations with Belgrade. Furthermore, Britain is nothing short of satisfied with the mutual success of Germany's executive (second-in-command) relationship with Britain at the helm of KFOR upon the secession of hostilities in Kosovo.

On the other hand, Britain's leaders express reservations about Germany's position on the possible eventual introduction of ground forces during the conflict.³⁶ Germany categorically, and prematurely according to British opinion, ruled-out the option, raising concern in Britain that Germany may well react the same way during a similar, future crisis, in which the coalition experiences less success in its air campaign. Additionally, British public opinion doesn't reflect the all-round optimism surrounding the establishment of the Stability Pact, contending that it remains to be seen if the respective governments who are parties to the pact actually "provide substance [financial resources] to the rhetoric"³⁷. Since governments often fail to do just that, an otherwise promising initiative may well become left without any hope for success. Finally, Britain's leadership has voiced open criticism over the archaic

Participation in the Military Intervention in Kosovo as Viewed from Different National Perspectives, The British Perspective. Available [Online]<<http://www.deutsche-aussenpolitik.de/publications/newsletter/issue01.html>.

³⁶ John Roper, German Foreign Policy in Dialogue, Germany's Participation in the Military Intervention in Kosovo as Viewed from Different National Perspectives, The British Perspective. Available [Online]<<http://www.deutsche-aussenpolitik.de/publications/newsletter/issue01.html>.

³⁷ Ibid.

internal structure and accompanying policies (primarily regarding conscription) of the Bundeswehr, which remains reminiscent of the Cold War.³⁸ Britain political and military leaders claim that the Bundeswehr is neither suited nor capable of responding appropriately to additional future threats to European security, and holds little hope that in the current environment of shrinking German defense budgets, the Bundeswehr will see a required, drastic course correction anytime soon.

D. THE AMERICAN PERSPECTIVE

The American perspective, according to Thomas Banchoff acknowledged Germany's "continued Atlantic orientation", showing that Germany has concurrently "adjusted its security policy instruments to a new post-cold war constellation."³⁹ Although certain trans-Atlantic tensions reminiscent of the 1980s came to light, including Chancellor Schroeder's idea of a cease fire to allow Serbian forces to withdraw, and his overt opposition to the use of ground troops in the conflict, Banchoff contends that "U.S. policymakers' awareness of the constraints of German domestic politics helped to keep irritations from breaking out into open division. So too, of course, did Milosevic's unexpected capitulation."⁴⁰

³⁸ Ibid.

³⁹ Thomas Banchoff, German Foreign Policy in Dialogue, Germany's Participation in the Military Intervention in Kosovo as Viewed from Different National Perspectives, The American Perspective. Available [Online]<<http://www.deutsche-aussenpolitik.de/publications/newsletter/issue01.html>.

⁴⁰ Ibid.

E. THE AUTHOR'S PERSPECTIVE

The uniformly positive international opinion of German involvement in Kosovo provides ample evidence that Germans have shed their disjointed and controversial reputation as second-rate allies inherited directly from their quibbling about their willingness to support the coalition that liberated Kuwait from Iraqi occupation in 1991. Indeed, contemporary German public opinion reflects the view that Germany in essence "hat sich freigekauft"⁴¹ (bought itself out of) the Gulf War. Michael Innacker adds that "In relation to the Gulf War, the lingering experience of the allies is that the Germans are in fact allies, but only allies with limited liability when it comes to countering violations of international law and defending common political goals and interests."⁴² Nonetheless, the Gulf War after-action depiction of Germany by Innacker from the perspective of Germany's allies contrasts considerably with the allied perspectives gained after observing German involvement in Kosovo, giving further credence to the opinion that Germany is proactively and productively addressing its increasing international obligations for peace and security,.

⁴¹ Gunther Latsch und Klaus Wiegrefe, "Einsatz im Machtspiel," *Spiegel*, 12 November 2001. 37.

⁴² Michal Innacker, 'Unter Ausschluss der Oeffentlichkeit? Die Deutschen in der Golfallianz.' Bouvier Verlag, Bonn, 1991. s. 161.

THIS PAGE INTENTIONALLY LEFT BLANK

V. GERMANY IN THE WAR ON TERROR

Undoubtedly, the strongest indication yet of German resolve to play a more proactive role in affecting developments on matters of international peace and security --a role commensurate with its status as a sovereign nation, European leader, and world trustee-- are the recent political developments within Germany pertaining to the U.S. led war on terror. In a policy statement by Federal Chancellor Gerhard Schroeder in the German Bundestag on 8 November 2001, he reminds that in a joint resolution adopted on 19 September 2001 "The German Bundestag endorses the Government's intention to follow up its declarations of unqualified solidarity with the United States with concrete measures of support. These include political and economic assistance as well as the provision of suitable military capabilities to combat international terrorism."⁴³ Both the unequivocal tone and specific content of this statement are proof of Germany's ability to preserve the integrity of its decision making process as well as Germany's preparedness to exercise its national sovereignty. This is true, considering that only a sovereign nation's government would have the moral right to commit its country's political, economic, and most tellingly military support to a cause; a cause moreover, that assumes a considerable portion of its legitimacy by virtue of the credibility inherent to the members of a coalition formed to see it through.

⁴³ Participation of German Armed Forces in the Fight Against International Terrorism, Policy Statement by Federal Chancellor Gerhard Schroeder in the German Bundestag, Berlin, 8 November 2001.

A. THE GERMAN-AMERICAN RELATIONSHIP

Of particular note in the discussion of German commitment to direct military involvement in the U.S. led war on terror are both the German mentality toward alliance and collective security as well as contemporary German sentiment toward the United States borne of the special relationship the Germans have fostered with the Americans over the course of nearly fifty years of occupation, and alluded to in Chancellor Schroeder's closing remarks. He remarks,

"Let me say in conclusion that another reason for our decision [in favor of military intervention] was to show that Germany is capable of meeting its obligations to the Alliance. For more than 50 years the United States has given us its solid support. It was the Americans who made it possible for us to rejoin the international community, who guaranteed our freedom and helped us regain our national unity. Over many decades we have taken American solidarity for granted and used it to our advantage. But Alliance solidarity is not a one-way street. That is why we must now render our practical contribution to that solidarity - the purpose of which, after all, is to defend our common values, attain common objectives, and build our future together in security and freedom. We do this in open, democratic and also critical discussion, but ultimately also, I hope, in great unison."⁴⁴

With this statement Chancellor Schroeder not only verbalizes the genuine gratitude and desire to reciprocate for the half-century of ubiquitous support that the United States has provided in guaranteeing the peace, security and prosperity of the German people, but illustrates Schroeder's complete understanding of the full range of

⁴⁴ Ibid.

articles inherent to the North Atlantic Treaty. Beyond Article 5, which provides for the common defence of its members, he makes a distinct reference to Article 2, which perhaps more importantly captures the essence of the alliance as a community of values. By choosing this line of argument, combining an emotional element with the irrefutable, traditional cornerstone to German security and defense strategy, German Chancellor Schroeder finds the optimal justification for what's next, the involvement of German military forces in new and greater capacities than previously seen. By the same token, one should mention that Chancellor Helmut Kohl echoed the same sentiment over a decade earlier. In a policy statement delivered to the German Senate, he decreed "We stand irrevocably in support of our alliance, our solidarity, and to our community of values with the free democracies of the West, especially with the United States of America."⁴⁵ Equally significant to the common theme of both Chancellors' statements is that Chancellor Schroeder belongs to the slightly "left of center" Social Democratic Party, whereas his predecessor occupied the helm of an administration dominated by the ideologically opposed, moderate-conservative Christian Democratic Union. Hence, the views expressed by both politicians reflect continuity and truly bipartisan opinion between the two strongest political parties in Germany since the formation of the Federal Republic of Germany in the latter half of 1949. This mostly pro-American mindset within German society indeed has been the national, social foundation allowing for German leaders to use language such

⁴⁵ Aussenpolitik der Bundesrepublik Deutschland, Dokumente von 1949 bis 1994, Herausgegeben aus Anlaß des 125. Jubiläums des Auswertigen Amts. Köln: Verl. Wiss. Und Politik, 1995. s. 729.

as "unlimited solidarity with the United States in the war on terrorism."

B. THE STICKING POINT

To date, the German government has pledged 3,900 German troops to the ongoing war effort in Afghanistan. The various missions these troops are capable of performing are mostly familiar: covering Nuclear, Biological, Chemical (NBC) defense, medical evacuation of the wounded, air transportation of troops, equipment and supplies, as well as naval forces to protect shipping lanes and vessels. Yet, one exception to the previous nature of employing German military forces in crises has empirically altered the debate. In the case of the war on terror, the administration has won the argument to commit 100 Special Forces Commandos to aid U.S. forces in a manner that produced one of the most historic votes in the German Bundestag since its inception.

C. EXTRAORDINARY MEASURES

Demonstrating both keen political sensitivity and impeccable judgement, Schroeder properly sensed that the timing was right for him to engage in a wager of the highest stakes, placing the survival of his administration on the table in hopes of attaining parliamentary authorization for the employment of German Special Forces in prospective combat operations in the war on terror. Thus, he opted in accordance with Article 68 of the German Constitution to combine a general vote of confidence in himself and his administration with the deployment of German military forces in the war on terror. For the sake of gaining perspective on the gravity of Schroeder's wager,

Werner Perger in an article appearing in the German journal Die Zeit writes,

"The vote of confidence is the heaviest weapon at the disposal of the Federal Chancellor in parliamentary battle. It is normally brought to bear when all other arguments have failed, all powers of persuasion have proven fruitless, and appeals for discipline have shown no effect. The vote of confidence is the ultimate case of emergency. It involves a great risk. A 'nay' effectively means the end of any government's administration [and implies new national elections]. An 'aye' [the requisite majority for which, is at least 50 percent of the Bundestag vote] - currently 334 votes - optimally could infuse the whole operation with new momentum. Unity in view of the power question can surely help an administration under acute, political pressure."⁴⁶

One of the critical circumstances leading to Chancellor Schroeder's decision to call for the vote of confidence was the potentially significant opposition to his vision of German participation in the war against terror he sensed from within the ranks of his "red-green" (Social Democrat-Green) coalition government, not to mention from within his own political party. As Perger observes there's a precedent to this concern, considering that "in the past years Gerhard Schroeder has already had to demand several decisions from his administration which one really could not have expected from this difficult alliance (Kosovo/Macedonia). Social Democrats and Greens who two decades ago were still entangled in resisting the nuclear retrofitting of NATO, who in the early nineties were still

⁴⁶ Werner Perger, „Schröders große Schlacht, Afghanistan und die rot-grüne Vertrauenskrise.“ Available [Online]: <http://www.zeit.de/2001/47/Politik/200147_1._leiter.html>. [4 December 2001].

opposed to any sort of deployment of German military forces outside the geographical boundaries of the alliance, have now arrived at the limit of all possibility."⁴⁷

D. THE DYNAMIC BEHIND THE DEBATE

A brief examination of the debate surrounding the vote on the obligatory Bundestag mandate to allow Germany to lend military support to the anti-terror campaign outside the confines of the North Atlantic Treaty Organization reveals further insight into the political and social dynamic in Germany as of late. A limited sketch of the make-up of the present German government shows it to be made up of a "red-green" coalition consisting of the Social Democratic Party and the Bündnis 90/Green party. Both parties have pacifist factions, the Greens being practically founded on pacifist, environmental, and anti-nuclear idealistic principles. However, as the party over the last decade began to find sufficient political support among the population resulting in its members being elected into positions of responsibility, the party was forced to accept compromises as a pre-condition for being in the government. In time, and as a consequence, it has gradually split into fundamentalist "Fundis" and realist "Realos". The former faction supports the idealism manifested in "conservative" grass roots organizations of the party, and the latter accept the need to compromise where these basic ideals are concerned. The former are prepared to give up the chance to govern and comfortably remain an opposition

⁴⁷ Werner Perger, „Schröders große Schlacht, Afghanistan und die rot-grüne Vertrauenskrise.“ Available [Online]: <http://www.zeit.de/2001/47/Politik/200147_1._leiter.html>. [4 December 2001].

party, whereas the latter want to play a direct part in the implementation or formation of government policies, as much as the "market" can bear.

The German Chancellor Gerhard Schröder has had to accommodate the above situation in order to maintain his coalition and continue to govern. He has succeeded in the past three years mostly on the basis of his charismatic leadership and professional skill, and probably even more significantly, due to weak conservative and liberal opposition parties, not to mention the "renegade" PDS, the follow-up party to the communists in the GDR, irrelevant nationally, but very significant still in the "new" states and the city of Berlin.

The stage was set for the confrontation that took place in the Bundestag in November, 2001. The catalyst was Sept 11, and the subsequent declaration by Chancellor Schröder of Germany's desire to show "unlimited solidarity" with the American people and support for the "war on terrorism." This stance was unequivocally voiced and actively supported by Joschka Fischer, the Foreign Minister, a Green Realo. But, with the passage of a few weeks and a seemingly ineffectual bombing campaign on the part of the American military in Afghanistan, the grass roots Green pacifist Fundis demanded qualification of the word "unlimited" -- and with that the political debate was defined and underway. The problem was that the debate was within the coalition and not between government and opposition. Should his shaky coalition fail to muster a majority on its own, Schroeder's initial reaction was simply to circumvent the issue by relying on the votes of the conservative opposition to achieve the needed majority in the Bundestag.

However, reading the political tide correctly, and realizing that such a less than desirable solution would come only at great expense to his own political capital, or rather the perception of his leadership potential, he soon distanced himself from his earlier indications that he would rely on the opposition. Affirming that the gravity and sheer magnitude of the question, involving what David Hudson describes as "The vote for approval of Germany's largest military adventure since World War II"⁴⁸, demands that the direction set by the administration be carried at a minimum by the same mandate within the Bundestag that bears responsibility for its appointment to office, Schroeder first sought advice from former leaders of the SPD, including Helmut Schmidt and Hans Apel, and then decided to link the obligatory vote on a mandate to support the American war on terror militarily with a vote of confidence in the government. A master stroke.⁴⁹

The combination vote caused the dynamic within the Bundestag to change abruptly. The CDU and FDP previously intended to vote unanimously in favor of sending troops to demonstrate Germany's "unlimited solidarity"; however they executed an about-face and voting unanimously against the continuation of the present government of Chancellor Schroeder in hopes of inviting its dissolution.

⁴⁸ David Hudson, "Confidence Man, Weeekly Review: Schroeder's historic 'win-win' gamble has landed the Greens in a 'loose-loose' dilemma." Available [Online]: <<http://www.heise.de/tp/english/inhalt/te/11150/1.html>. [11 December 2001].

⁴⁹ For Chancellor Schröder and for Minister Fischer the increasingly irritating recalcitrance within their own parties was weakening the work of the coalition in general and, if it were not checked soon, it would also threaten the almost assured victory of the Red/Green coalition in the national election in the fall of 2002.

Consequently, Schroeder succeeded not only in forcing the conservative opposition into a position in which it ultimately would in Hudson's words "come-off looking as if playing politics was more important to them than their oft-professed loyalty to Germany's allies, in particular to the United States"⁵⁰, but also in creating a additional "win-win" situation for himself. Hudson observes,

"Winning the vote would obviously be nice. Schroeder would prove that he could play hardball and whip his minions back in line. But in the long run, losing might have been even better. Schröder would have had a couple of options, but rather than review them all, let's cut to the most attractive: he could call for new elections. A glance at the current political landscape reveals that he would be extremely well positioned for such an early date with the voting public. While his own popularity ratings soar, the CDU is in a shambles. Practically the laughing-stock of the country, the party can't even decide on a candidate for chancellor for the election scheduled less than a year away in the first place. The Liberals⁵¹, in the meantime, are profiting from the CDU's mess, and Schröder has made a point twice in the last week of blessing the FDP with two high-profile meetings with its

⁵⁰ David Hudson, "Confidence Man, Weeekly Review: Schroeder's historic 'win-win' gamble has landed the Greens in a 'loose-loose' dilemma." Available [Online]: <<http://www.heise.de/tp/english/inhalt/te/11150/1.html>. [11 December 2001].

⁵¹ Unlike in U.S. politics, "liberal" does not describe a position to the far left of the political spectrum. Rather, in Germany, the term "liberal" refers to the Free Democratic Party (FDP), and connotes "Freedom of the Individual" reminiscent of the French Revolution, and "Laissez-Faire" economic policies. In the German political spectrum the FDP is positioned in the perfect center, between the SPD and CDU. For the sake of ideological comparison, both the Democratic and Republican Parties in the United States would fall within the scope of the FDP, given the party's left and right-most lateral limits, respectively.

leadership. Should the "red-green" coalition fall apart, few doubt that "red-yellow" (yellow being the Liberals' color) would be quick to follow."⁵² In the end, Schroeder received the vote of confidence with the full support of his social democratic party, and the proven ability of the Greens to make compromises when compromises are necessary.

E. CONCLUSION

The significance of the developments elaborated above is in the resolute sense of purpose with which the current German leadership engages in bringing about a categorical change in Germany's role on the international stage. The fact that the Chancellor was willing to confront his party and his broader mandate in the Bundestag with the alternative between governance or returning to political opposition, and that he ultimately prevailed in winning the vote of confidence, underscores that Germany is successfully wrestling with its new set of circumstances.

⁵² David Hudson, "Confidence Man, Weeekly Review: Schroeder's historic 'win-win' gamble has landed the Greens in a 'loose-loose' dilemma." Available [Online]:<<http://www.heise.de/tp/english/inhalt/te/11150/1.html>. [11 December 2001].

VI. EVALUATION AND PERSPECTIVE

Few critics can refute the basic theme developed in the previous five chapters: namely that the Federal Republic of Germany has made substantive progress in assuming a leadership role in the strategic defense of a united Europe and in fulfilling the expanding military needs of NATO in and outside of the geopolitical confines of a too narrowly defined potential European theater of conflict. To the Anglo-Saxon (German English for U.S. Americans and British), in particular, this "progress" might be viewed with a critical or even cynical eye, but an impartial observer can assign credence to the theory that there exist imperative historical causes for Germany to show hesitation, if not reluctance, to proactively joining a more broadly defined military fray, particularly, when German soldiers are to be given potentially hazardous assignments.

This German stance is largely a consequence of the guilt complex successfully imposed by the victorious allies upon a defeated and totally demoralized German people after the Second World War. Reconstituting a military in 1955 and 1956 in the form of a Bundeswehr was not at first supported by an approving majority of the German population. On the contrary, Konrad Adenauer had to cajole, convince and ultimately almost single-handedly impose upon the West Germans the idea that a Bundeswehr was necessary for Germany to be firmly and permanently integrated in the western alliance camp. For him this was the price that had to be paid for a stable Europe and, in turn, a secure Germany. A brief glance at Japan's recent bold move to contribute military forces to the anti-terrorist campaign

in Afghanistan is a revealing parallel of how intensely controversial the efforts are in these once devastated societies to overcome internalized pacifist values as a consequence of externally imposed measures taken at the conclusion of and subsequent to World War II.

In short, the deep-seated German conviction, which has in "Anglo-Saxon" terms over time become convenience, to remain uninvolved or only indirectly involved (financially) in military conflicts has established a permanent presence in the political make-up of German society and its political discourse. This fact is unmistakably evident in the most recent debates that have intensified due to the terrorist actions in New York and Washington, D.C. "Nie wieder Krieg" (no more war) had been the potent, prevailing slogan ever since the Second World War. However, German sentiment quickly changed in light of the atrocities being committed in former Yugoslavia during the mid and late 1990s, leading to the German decision to intervene militarily in the crisis under the slogan "Nie wieder Voelkermord (no more genocide)." After Sept 11, Federal Chancellor Schroeder, whose father was killed in the war, and who, as an opposition Social Democratic Party politician, always staunchly supported the demand that Germany refrain from becoming involved in military conflicts, has now reversed his opinion, claiming that it is now the proper time for Germany to assume its responsibility as a leader in a changing Europe and a changing world. He eloquently and forcefully proclaimed in the Bundestag that it is now impossible for Germany to refuse categorically to send its soldiers into harm's way.

Admittedly, to discover what it is in the make-up of the German psyche that has changed with respect to the motivation to accept and implement the use of military force is an interesting and stimulating question, but it needs a much more sophisticated investigation than this thesis can provide. Even an in-depth analysis of the debate now being conducted would give greater insight into the dynamics and the volatility of the changing German political environment. This too is beyond the scope of this paper. But what this paper shows is that this dynamic, volatile political decision-making environment has been making a qualitative change over the last ten years. It remains to be seen how extensive the changes will be, and if there will be a mechanism to respond quickly and decisively to substantial future military challenges. Traditionally convenient rationalizations are losing their potency.

In conclusion, it is important to remember that this newly won German self-assurance in taking greater responsibility for intervening militarily in areas outside of the confines of NATO and Europe has been the product of a gradual process, evolving in an environment of pervasive skepticism, albeit accelerated by the events of Sept 11. This process is at best fluid and by no means complete. On the contrary, the debate goes on, and it is quite impossible to predict the final form that Germany's military preparedness will ultimately take. As the British point out, decisions must be made to restructure and reequip an antiquated German fighting force, which was set up more than 45 years ago to counter the massive threat of the Warsaw Pact.

A first step was taken in July, 2001, when about a billion marks was allotted for the next several years to initiate structural changes. It has also become painfully clear that conscription is no longer adequate to the needs of an effective German army. Currently, more than half of all eligible young German men opt not to serve in the Bundeswehr. They choose to do civilian service (Zivildienst) instead. The word "Kriegsdienstverweigerer" (conscientious objector) is not used. This waning readiness to do military service is most probably a consequence of several factors, including the above-mentioned successfully imposed post World War II pacifism, the unsuccessful U.S. involvement in Vietnam, and a widespread reluctance on the part of German youth, in general, to identify with national symbols. For many Germans patriotism is almost an oxymoron. Significantly, women have recently been allowed to join the combat ranks in the German army.

Regardless of the form(s) the restructuring of the Bundeswehr takes, it is obvious that the needed changes, which are only just beginning, will also require extremely large sums of money. However, the German government currently does not have either the money or the all-important political mandate to raise these funds. Hopefully, the democratic resolve of the German electorate will compel the political leadership to act decisively in favor of Germany assuming a responsible leadership position in the defense of Europe and in proactively acting to secure the interests of Europe around the world. It will take a giant "Ruck vorwärts" (a sudden jerk forward) said Roman Herzog, the former president of the republic, as he attempted to answer the question why Germany, as a whole,

was slow compared with its European counterparts, to adapt to the changing needs of a united Europe. The need for a modern military has certainly been recognized, and this paper has shown, Germany within the last ten years has gradually moved in the direction of taking more responsibility for the defense of a united Europe. It remains to be seen if, the events of Sept 11 have provided sufficient catalyst to bring about the elusive giant "Ruck vorwärts."

THIS PAGE INTENTIONALLY LEFT BLANK

INITIAL DISTRIBUTION LIST

1. Defense Technical Information Center
Fort Belvoir, Virginia
2. Dudley Knox Library
Naval Postgraduate School
Monterey, California
3. Marine Corps Representative
Naval Postgraduate School
Monterey, California
4. Director, Training and Education, MCCDC, Code C46
Quantico, Virginia
5. Director, Marine Corps Research Center, MCCDC, Code C40RC
Quantico, Virginia
6. Marine Corps Tactical Systems Support Activity (Attn:
Operations Officer)
Camp Pendleton, California
7. Donald Abenheim
Department of National Security Affairs
Naval Postgraduate School
Monterey, California
8. James Suchan
School of Business and Public Policy
Naval Postgraduate School
Monterey, California